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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,447	12/30/1999	DAVID JOHNSTON LYNCH	RCA89.894	6336

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EXAMINER

CHUNG, JASON J

ART UNIT	PAPER NUMBER
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2611

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DATE MAILED: 01/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/475,447

Applicant(s)

LYNCH, DAVID JOHNSTON

Examiner

Jason J. Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-26 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 11-26 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 15 is objected to because of the following informalities: claim 15, line 1 states, "The system of claim 1 including". Claim 15 should depend on claim 11. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 11-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Collings (US Patent # 5,828,402).

Regarding claim 11, Collings discloses the user can set user preferences (column 16, lines 19-28). Collings discloses the user can invoke a main menu 80 (figure 5A) by entering a PIN (column 16, lines 50-67). Collings discloses the blocking option 80 allows a user to enable, temporarily disable, or disable completely a television signal (column 17, lines 1-7). Collings discloses the user can set thresholds for television programming (column 17, lines 33-48), which

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meets the limitation on at least one viewer profile establishing a set of limits for blocking images outside the limits from view.

Collings discloses the master option of menu 90 can be used to disable or temporarily disable the operation of all blocking features of apparatus 20 and a user may disable one or more features that include ratings, channel, viewing times, daily allowance (column 17, lines 20-32), which meets the limitation on at least one limit selected from the group comprising: program ratings, spending, channel, view time limits, time of day limits, image content ratings.

Collings discloses the master option of menu 90 can be used to disable or temporarily disable (override) the operation of all blocking features of apparatus 20 and a user may disable one or more features that include ratings, channel, viewing times, daily allowance (column 17, lines 20-32; figure 5B), which meets the limitation on at least one override list including at least one override instruction applicable to the at least one viewer profile for overriding at least one of the limits.

Regarding claims 12-13, Colling discloses the user can use the main menu 80 (figure 5A) and press option 1 opens up the blocking menu (column 17, lines 1-32). Collings discloses pressing option 2 opens up a setup menu 100 and pressing option 1 on the setup menu (figure 5C) opens up a category threshold menu (figure 5D) (column 17, lines 33-57). Collings discloses the user can have blocking criteria saved in the memory 58 (column 17, lines 58-68). Collings discloses the master option can be used to disable all (least restrictive) of the blocking features of the apparatus (column 17, lines 20-32; figure 5B). Collings discloses the menu can be used to enable (most restrictive) or disable all of the features (column 17, lines 8-19; figure 5B); thus the user can have blocking criteria/criterion saved and use the master option to disable

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blocking (least restrictive) or use the master option to enable blocking (most restrictive), which meets the limitation on a conflict resolver resolving conflicts between overrides and the conflict resolver is switchable between a most restrictive and least restrictive mode and the limitation on first and second conflict resolution modes (claim 22).

Regarding claim 14, Collings discloses the user is presented interfaces showing the status of the blocking (figures 5E-5I), which meets the limitation on means to display to a viewer the blocking status of at least one image.

Regarding claim 15, Collings discloses the video signals may be output from apparatus 20 or from a VCR and apparatus 20 can be built into the television but also may be a stand-alone unit (column 3, lines 17-30), which meets the limitation on the supervisor control system for producing an output signal includes at least one item selected from the group comprising: television receiver, cable box, VCR tuner.

Regarding claims 16-19, the limitations in claims 16-19 have been met in claims 11-15 rejections.

Regarding claims 20-23, the limitations in claims 20-23 have been met in claims 11-15 rejections.

Regarding claim 24, the limitations in claim 24 have been met in claims 11-15 rejections.

Regarding claims 25-26, the limitations in claims 25-26 have been met in claims 11-15 rejections. Collings discloses the parent can block the television signal (column 2, line 66-column 3, line 30), which meets the additional limitation on parental control circuitry.

Conclusion

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4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason J. Chung whose telephone number is (703) 305-7362. The examiner can normally be reached on M-F, 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew I. Faile can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

JJC


VIVEK SRIVASTAVA
PRIMARY EXAMINER